

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

**THE GUARANTEE COMPANY OF
NORTH AMERICA, USA,**

Plaintiff,

v.

**LORING E. JUSTICE, KIM RENAE
NELSON, KYLE GLOBAL VENTURES
LLC, LORING JUSTICE, PLLC, CSB
HOLDINGS 329, LLC, UNITED
COMMUNITY BANK, AND OTHER
PERSONS OWNING OR CLAIMING
AN INTEREST IN REAL PROPERTY
KNOWN AS 500 PRESCOTT WAY,
KNOXVILLE, TENNESSEE 37919,**

Defendants.

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No. 3:21-cv-00369-DCLC-HBG

ANSWER BY DEFENDANT KIM RENAE NELSON

Defendant Kim Renae Nelson (“Ms. Nelson”) respectfully answers the allegations of the Petition to Quiet Title and Declare Priority of Liens (ECF Doc. 1) as follows:

PARTIES

1. Upon information and belief, admitted.
2. Admitted.
3. Admitted.
4. Upon information and belief, admitted.
5. Upon information and belief, admitted.
6. Upon information and belief, admitted.
7. Upon information and belief, admitted.

JURISDICTION

8. Upon information and belief, admitted.
9. Admitted.
10. Admitted.

FACTUAL ALLEGATIONS

11. Admitted.
12. Upon information and belief, admitted.
13. Denied that the total judgment in favor of Ms. Nelson in the Underlying Lawsuit was \$376,638.90. The remaining allegations of Paragraph 13 are admitted.

14. Admitted.
15. Admitted.
16. Admitted.
17. Admitted.
18. Upon information and belief, admitted.
19. Admitted.
20. Admitted.
21. Upon information and belief, admitted.
22. Admitted.
23. Admitted.

CAUSE OF ACTION I – DECLARATION THAT THE GUARANTEE IS SUBROGATED TO NELSON JUDGMENT AND PRIORITY THEREOF

24. Ms. Nelson restates her responses to the allegations in the preceding paragraphs as if fully set forth herein.

25. Admitted that Ms. Nelson was owed \$376,638.90 by Defendant Loring Justice in relation to the Underlying Lawsuit, as well as other amounts.

26. Admitted.

27. Admitted that The Guarantee satisfied a portion of Ms. Nelson's judgment against Defendant Loring Justice that was entered April 11, 2017. Denied that The Guarantee satisfied all of Ms. Nelson's judgment against Defendant Loring Justice. Denied that it should be subrogated to Ms. Nelson's priority lien position.

28. Denied.

29. Paragraph 29 is not an allegation for which an admission or denial is required. To the extent a response is required, denied.

CAUSE OF ACTION II – QUIET TITLE AND DECLARATION OF RIGHTS AND PRIORITY AS TO KYLE GLOBAL DEED OF TRUST AND CSB ASSIGNMENT.

30. Ms. Nelson restates her responses to the allegations in the preceding paragraphs as if fully set forth herein.

31. Upon information and belief, admitted.

32. Upon information and belief, admitted.

33. Upon information and belief, admitted.

34. Upon information and belief, admitted.

35. Upon information and belief, admitted.

36. Upon information and belief, admitted.

37. Paragraph 37 is not an allegation for which an admission or denial is required. To the extent a response is required, denied.

CAUSE OF ACTION III – QUIET TITLE AS TO LORING JUSTICE, PLLC

38. Ms. Nelson restates her responses to the allegations in the preceding paragraphs as if fully set forth herein.

39. Admitted.

40. Admitted.

41. Admitted.

**CAUSE OF ACTION IV – JUDGMENT FOR ADDITIONAL COSTS AND
ATTORNEYS’ FEES UNDER THE INDEMNITY AGREEMENT**

42. Upon information and belief, admitted.

43. Upon information and belief, admitted.

44. Paragraph 44 is not an allegation for which an admission or denial is required. To the extent a response is required, denied.

45. Paragraph 45 is not an allegation for which an admission or denial is required. To the extent a response is required, denied.

Respectfully submitted,

/s/ Gregory Brown

Gregory Brown, BPR# 027944

G. Alan Rawls, BPR# 038300

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Stipulation was filed with the Clerk of the District Court using the CM/ECF system on this the 28th day of January, 2022, which sent notification of such filing to all parties registered with the Court's electronic filing system, including:

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Attorney for United Community Bank

The following parties were served by U.S. Priority Mail, International, on the 28th day of January, 2022:.

Kyle Global Ventures, LLC
Hunkins Waterfront Plaza
556 Main Street
Charlestown, Nevis, West Indies

CSB Holdings 329, LLC
Global House
Parakura, Tutakimoa Road
Avarua District, Cook Islands

/s/ Gregory Brown

